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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/642,953

08/18/2003

Bjarne Frederiksen

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4180

32116

7590

10/26/2004

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
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CHICAGO, IL 60661

EXAMINER

NGUYEN, HUNG T

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/642,953

Applicant(s)

FREDERIKSEN ET AL.

Examiner

Hung T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/18/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the cable" in 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden et al. (U.S. RE37,590).

Regarding claim 22, Leyden teaches a security system [figs.1,4, col.1, lines 43-57 and col.2, lines 44-55] comprising:

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- a flexible cord as a cable (34) [figs.2-4, col.2, lines 61-64];
- a housing (24) for storing the cord [fig.2, col.2, lines 56-64, col.3, lines 33-40, abstract];
- a display shelf (16) defines an upwardly facing surface (18) supporting the device (12) [fig.1, col.1, lines 44-51] and the housing (24) for storing the cord [fig.2, col.2, lines 56-64, col.3, lines 33-40, abstract];
- a connector (80,224) on the cable (34) [figs.2,7, col.3, lines 33-34 and line 67 to col.4, line 3];
- the connector (80,224) attachable to an object / electronic device (12) to be monitored [figs.2,7, col.1, lines 43-46, col.3, lines 33-34 and line 67 to col.4, line 3];
- the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 33-48 and abstract].

Leyden does not specifically mention the term as “the cord can be turned about the length of the cord continuously in one direction without causing kinking of the cord” as claimed by the applicant.

However, Leyden clearly teaches the cord (34) is communicated with the retraction mechanism (32) which can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 33-48 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Leyden as retraction mechanism to control of a cord about its length as articles to which the cord is attached and preventing the object from a dangle position.

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Regarding claim 23, Leyden does not specifically mention the first discrete & the second discrete part of the cord.

However, Leyden clear teaches the retraction mechanism (32) has double pulley (46) communicates with the connectors at both end in the housing (24) & cable (34) which the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 11-48 and abstract].

Regarding claims 24 & 26 Leyden teaches the retraction mechanism (32) has double pulley (46) communicates with the connectors at both end in the housing (24) & cable (34) which the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 11-48 and abstract] and an alarm signal (214) will be activated if the cord (220) is broken / interrupted as theft [fig.7, col.3, lines 60-67].

Regarding claims 25, Leyden teaches the retraction mechanism (32) has double pulley (46) communicates with the connectors at both end in the housing (24) & cable (34) which the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 11-48 and abstract].

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Regarding claim 27, Leyden discloses a display shelf (16) defines an upwardly facing surface (18) supporting the device (12) [fig.1, col.1, lines 44-51] and the housing (24) for storing the cord [fig.2, col.2, lines 56-64, col.3, lines 33-40, abstract].

4. Claims 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden et al. (U.S. RE37,590) in view of Rand (U.S. 5,467,075).

Regarding claims 28-29, Leyden does not specifically mention a bearing / roller component is using in the housing.

Rand teaches a ball bearing component (54) is used in the anti-theft alarm device [fig.4, col.4, lines 35-41].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Ryczek in the system of Leyden for acting between the housing and the support to guide repositioning of the housing relative to the support.

5. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden et al. (U.S. RE37,590) in view of Ryczek (U.S. 6,659,382).

Regarding claims 1 & 11, Leyden teaches a security system [figs.1,4, col.1, lines 43-57 and col.2, lines 44-55] comprising:

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- a flexible cord as a cable (34) [figs.2-4, col.2, lines 61-64];
- a housing (24) for storing the cord [fig.2, col.2, lines 56-64, col.3, lines 33-40, abstract];
- a connector (80,224) on the cable (34) [figs.2,7, col.3, lines 33-34 and line 67 to col.4, line 3];
- the connector (80,224) attachable to an object / electronic device (12) to be monitored [figs.2,7, col.1, lines 43-46, col.3, lines 33-34 and line 67 to col.4, line 3];
- the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 33-48 and abstract].

Leyden does not specifically mention a first discrete part of the cord & the housing to control twisting of the cord about the length of the cord by reason of turning of the connector.

Ryczek teaches a security for display of hand held device items which has a positioning system to bring the cell phone back to its desired display position as the cord (101) is pulled from the display stand and the cell phone is **twisted or turned, the cord will develop a counter force to return the cell phone upon release to the original position** [figs.1-2, col.2, lines 14-34].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Ryczek in the system of Leyden for providing a mechanism to control twisting of a cord about its length as articles to which the cord is attached, are repositioned.

Regarding claim 2, Leyden does not specifically mention the first discrete & the second discrete part of the cord.

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However, Leyden clear teaches the retraction mechanism (32) has double pulley (46) communicates with the connectors at both end in the housing (24) & cable (34) which the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 11-48 and abstract].

Regarding claim 3, Leyden teaches the retraction mechanism (32) has double pulley (46) communicates with the connectors at both end in the housing (24) & cable (34) which the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 11-48 and abstract] and an alarm signal (214) will be activated if the cord (220) is broken / interrupted as theft [fig.7, col.3, lines 60-67].

Regarding claims 4-6, Leyden teaches the retraction mechanism (32) has double pulley (46) communicates with the connectors at both end in the housing (24) & cable (34) which the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 11-48 and abstract].

Regarding claims 7-9, Leyden teaches the retraction mechanism (32) has double pulley (46) communicates with the connectors at both end in the housing (24) & cable (34) [col.2, line 66 to

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col.3, line 5 and col.3, lines 11-48 and abstract]. The connectors can be any form or shape, that is not a primary subject of the invention. It is an obvious design choice of the skilled artisan.

Regarding claims 10 & 12, Leyden teaches the retraction mechanism (32) has double pulley (46) communicates with the connectors at both end in the housing (24) & cable (34) which the cord can be extended out of the housing from a first position to a second position as a user pulls the electronic device for examination and return back to the original position after released the object from the user [col.2, line 66 to col.3, line 5 and col.3, lines 11-48 and abstract] and an alarm signal (214) will be activated if the cord (220) is broken / interrupted as theft [fig.7, col.3, lines 60-67].

Regarding claims 13-14, Leyden discloses a display shelf (16) defines an upwardly facing surface (18) supporting the device (12) [fig.1, col.1, lines 44-51] and the housing (24) for storing the cord [fig.2, col.2, lines 56-64, col.3, lines 33-40, abstract].

6. Claims 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leyden et al. (U.S. RE37,590) in view of Ryczek (U.S. 6,659,382) further in view of Rand (U.S. 5,467,075).

Regarding claims 15-17 & 18-20, the combination of Leyden & Ryczek is still missing a bearing / roller component is using in the housing.

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Rand teaches a ball bearing component (54) is used in the anti-theft alarm device [fig.4, col.4, lines 35-41].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Ryczek & Rand includes a roller / sphere component in the system of Leyden for acting between the housing and the support to guide repositioning of the housing relative to the support.

Regarding claim 19, Leyden discloses a display shelf (16) defines an upwardly facing surface (18) supporting the device (12) [fig.1, col.1, lines 44-51] and the housing (24) for storing the cord [fig.2, col.2, lines 56-64, col.3, lines 33-40, abstract].

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Rankin (U.S. 5,124,685) Security device with retractable tether.
- Leyden et al. (U.S. 5,861,807) Security system.
- Gross et al. (U.S. 6,476,717) Tamper-proof display.
- Kuenzel (U.S. 6,144,617) Tamper resistant cable seal.

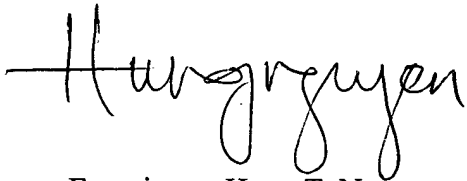
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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982.

The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

A handwritten signature in black ink, appearing to read 'Hung T. Nguyen'. The signature is stylized with a large, sweeping 'H' and a long, trailing 'y'.

Examiner: Hung T. Nguyen

Date: Oct. 20, 2004